

Waiver of Service of Summons

To: KATHLEEN A. ZEBROWSKI  
Assistant United States Attorney

I acknowledge receipt of your request that I waive service of a summons in the action of United States of America v. Mary A. Phifer, which is case number 07 CIV 5577 (CLB) in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

I will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after the 11<sup>th</sup> day of July, 2007 or within 90 days after that date if the request was sent outside the United States.

Date

7/17/07

Signature

Mary A. Phifer  
Printed/typed name